

## *New regulations: Section 6.35*

### 6.35: Spiny Dogfish Management

(1) Definitions. For the purposes of 322 CMR 6.35:

Spiny dogfish means that species of fish known as *Squalus acanthias*.

Spiny dogfish commercial quota means allowable commercial landings established by the Director each year. For 2000, the quota is 7,000,000 lbs.

Night means the time between ½ hour after sunset to ½ hour before sunrise during the period March 1 through October 31, inclusive, or from 6:00 p.m. to 6:00 a.m. during the period November 1 through the last day of February, inclusive.

(2) Permit. A regulated fishery Special Permit issued by the Director shall be:

- (a) required of all commercial fishermen taking or landing spiny dogfish from waters under the jurisdiction of the Commonwealth; and
- (b) carried by the holder at all times when catching, taking, possessing, or selling spiny dogfish taken from waters under the jurisdiction of the Commonwealth; and
- (c) displayed forthwith on demand by any Environmental Police Officer or other official authorized to enforce 322 CMR 6.35;

(3) Dealer Authorization. It is unlawful for dealers without written authorization from the Director to purchase spiny dogfish from commercial fishermen.

(4) Dealer Reporting. Dealers shall report all purchases of spiny dogfish by phone and in writing based on schedules established and on forms to be provided by the Division.

(5) Gillnetting. It is unlawful for any commercial fisherman fishing with gillnets in waters under the jurisdiction of the Commonwealth:

- (a) to take or land more than 600 lbs. of spiny dogfish unless their regulated gillnet fishery permit is endorsed for “Dogfish” and issued by the Director. The endorsement for “Dogfish” will be provided only to commercial fishermen, who can document through DMF catch reports, landings of spiny dogfish caught with gillnets in waters under the jurisdiction of the Commonwealth for at least three years during the period 1995 through 1999, inclusive;
- (b) to fish for or take more than 600 lbs. of spiny dogfish in any waters under the jurisdiction of the Commonwealth with gillnets having a mesh opening of less than 6 ½;”
- (c) to fish for or take spiny dogfish with gillnets longer than 300 feet in total length;
- (d) to fish more than 30 (thirty) 300-foot gillnets at any one time for spiny dogfish with no string of gillnets being longer than 2,400 feet in total length;
- (e) to fish with gillnets not marked pursuant to 322 CMR 4.13;
- (f) to land more than 600 lbs. of spiny dogfish without having all gillnet gear removed from the water and on board the vessel; and
- (g) to fish for spiny dogfish with gillnets at night.

(6) Possession Limit.

- (a) Gillnetters. It is unlawful for commercial fishermen using gillnets in waters under the jurisdiction of the Commonwealth to land more than 600 lbs. of dogfish unless all gillnet gear is removed from the water and on board the vessel.
- (b) All other gear types. Except for those fishermen fishing gillnets as noted in (6)(a) above, it is unlawful for commercial fishermen to land or possess more than 7,000 pounds of spiny dogfish in a 24-hour day.

(7) Minimum Size. It is unlawful for commercial fishermen to possess spiny dogfish less than 31" in total length.

(8) Commercial Quota. It is unlawful for commercial fishermen to land or possess spiny dogfish when the Commonwealth's spiny dogfish quota has been reached.